

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SYLVIA ARJE, et al.,

Plaintiffs,

v.

DAVID C. BANKS, et al.,

Defendants.

24 Civ. 3115 (DEH)

ORDER

DALE E. HO, United States District Judge:

In this action, Plaintiffs, three parents of disabled children, sue Defendants New York City Department of Education (the “DOE”) and David Banks, DOE’s Chancellor, under the Individuals with Disabilities Education Act (the “IDEA”). According to the Complaint, Plaintiffs each prevailed in administrative proceedings, winning an administrative order that obligates the DOE to fund tuition and/or other services for Plaintiffs’ children. *See* Compl. ¶¶ 59, 90, 117, 145, ECF No. 1. The Complaint further alleges that the DOE has not fully complied with each of the relevant administrative orders. *Id.* ¶ 68 (“DOE has not funded the total cost of Z.A.’s tuition and related services . . . for the 2022-2023 school year.”), ¶ 98 (“DOE has not funded the total cost of Z.A.’s tuition and related services . . . for the 2023-2024 school year.”), ¶ 125 (“DOE has not funded the total cost of D.D.L.C.’s tuition and additional related service costs, nursing fees, independent evaluations, and specialized transportation costs[.]”), ¶ 154 (“DOE has not funded the total cost of S.J.D.’s special transportation services[.]”). On April 25, 2024, Plaintiffs filed proof of service via email. *See* ECF No. 5. Defendants have not appeared.

On April 26, 2024, Plaintiffs moved for a preliminary injunction, seeking an order requiring Defendants to fund the students’ tuition and related services. *See* ECF No. 6.

It is hereby **ORDERED** that Defendants shall file any opposition to the motion for a preliminary injunction by **May 7, 2024**. If such an opposition is filed, Plaintiffs shall file any reply by **May 10, 2024**. Plaintiffs shall serve this order on Defendants and file proof of service by **April 30, 2024**.

SO ORDERED.

Dated: April 29, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is positioned above a horizontal line.

DALE E. HO
United States District Judge